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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sean P. Selover et al.

Application No: 10/711,704

Filing Date: September 30, 2004

Entitled: METHODS AND DEVICES FOR  
MINIMALLY INVASIVE SPINAL  
FIXATION ELEMENT PLACEMENT

Atty. Docket No: 101896-283 (DEP5154CIP)

Conf. No.: 5703

Group Art Unit: 3775

Examiner: James L. Swiger, III

Certificate of Transmission (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

November 12, 2009

By: 

Date of Signature and Transmission

Lisa Adams, Reg. No. 44,238  
Attorney for Applicant(s)Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.116**

Dear Sir:

Applicants submit this paper in response to the final Office Action dated September 18, 2009.

*Amendments to the Specification* begin on page 2 of this paper.*Amendments to the Claims* begin on page 3 of this paper.*Remarks* begin on page 6 of this paper.A *Terminal Disclaimer* is filed herewith.

/James L. Swiger/

12/03/2009